

AMENDED IN ASSEMBLY MAY 31, 2016

AMENDED IN SENATE MAY 3, 2016

SENATE BILL

No. 1257

Introduced by Senator Block

February 18, 2016

An act to add Section 6060.1.5 to the Business and Professions Code, relating to the State Bar Act.

LEGISLATIVE COUNSEL'S DIGEST

SB 1257, as amended, Block. State Bar: admission: license: pro bono service requirement.

Existing law, the State Bar Act, requires an applicant for admission and a license to practice law, to meet certain requirements, including, but not limited to, having completed certain legal education in a law school, law office, or judge's chambers, passed an examination in professional responsibility, and passed the general bar examination. Existing law prohibits a person from practicing law in this state unless he or she is an active member of the State Bar.

This bill would additionally require an applicant, prior to ~~filing an application for admission and a license to practice~~, *admission*, to complete at least 50 hours of supervised pro bono *legal* service, as specified, in order to supplement the applicant's legal education with practical legal work experience. Upon completion of the pro bono *legal* service requirement, the bill would require an applicant *and the supervising attorney or active judge* to ~~complete, sign, and submit complete and sign a form to the State Bar~~ confirming completion of the pro bono ~~service, and service~~. *The bill would require the State Bar to adopt rules for the submission and retention of the certification forms. The bill would authorize the State Bar to create the form upon which*

an applicant can report completion of pro bono service. The bill would require the State Bar to randomly audit applicants to ensure completion of 50 hours of pro bono *legal* service. The bill would provide that these provisions become operative on January 1, 2018.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 6060.1.5 is added to the Business and
2 Professions Code, to read:

3 6060.1.5. (a) In addition to satisfying the requirements in
4 Section 6060, irrespective of the manner or law school in which
5 an applicant acquires his or her legal education, an applicant for
6 admission and a license to practice shall complete at least 50 hours
7 of pro bono *legal* service prior to filing an application. The purpose
8 of this pro bono legal service is to supplement the applicant's legal
9 education with practical legal work experience.

10 (b) The pro bono *legal* service shall be supervised by an active
11 licensed attorney in good standing.

12 (c) For the purposes of this section, "pro bono *legal* service"
13 means work ~~that does either~~ *without compensation except for costs*
14 *in the provision of legal service to any of the following:*

15 (1) ~~Assists in the provision of legal services without charge for~~
16 ~~persons of limited means, not-for-profit organizations, or~~
17 ~~individuals, groups, or organizations seeking to secure or promote~~
18 ~~access to justice, including, but not limited to, the protection of~~
19 ~~civil rights, civil liberties, or public rights. A "legal aid~~
20 ~~organization" as defined by Section 6159.51.~~

21 (2) ~~Assists in the provision of legal assistance in public service~~
22 ~~for a judicial, legislative, executive, or other governmental entity.~~
23 *A nonprofit group or organization seeking to secure or promote*
24 *access to justice, including, but not limited to, the protection of*
25 *civil rights, civil liberties, or public rights.*

26 (3) *A charitable, civic, community, governmental, or educational*
27 *organization in matters designed primarily to address the*
28 *economic, health, and social needs of persons who are indigent*
29 *or of limited means.*

30 (d) Subject to subdivision (b), the 50 hours of pro bono *legal*
31 service, or any portion thereof, may be completed in any state or

1 territory of the United States, the District of Columbia, or any
2 foreign ~~country~~. *country and may be supervised by an attorney*
3 *who is licensed to practice law or an active judge in the jurisdiction*
4 *where the service is completed.*

5 (e) The 50 hours of pro bono *legal* service shall be provided
6 after the commencement of the applicant's legal studies, and prior
7 ~~to filing an application for admission and a license to practice.~~
8 *admission.*

9 (f) Upon completion of the pro bono *legal* service requirement,
10 an applicant shall complete a form describing the nature and dates
11 of pro bono *legal* service and the number of hours completed. Both
12 the applicant and the supervising attorney *or active judge* shall
13 sign the form. ~~The applicant shall submit the signed form to the~~
14 ~~State Bar. The State Bar shall adopt rules for the submission to,~~
15 *and retention by, the State Bar of the certification forms.*

16 (g) No applicant may satisfy any part of the 50-hour requirement
17 by participating in any partisan political activities.

18 (h) The State Bar may create the form upon which the applicant
19 can report completion of pro bono *legal* service.

20 (i) The State Bar shall randomly audit applicants to ensure
21 completion of 50 hours of pro bono *legal* service.

22 (j) This section shall become operative on January 1, 2018.